

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
SOUTHEASTERN DIVISION

ISAAC EDWARD ALLEN,

Plaintiff,

vs.

JOHN JORDAN, et al.,

Defendants.

Case No. 1:08CV130 HEA

MEMORANDUM AND ORDER

This matter is before the Court on plaintiff's motion to proceed in forma pauperis [Doc. #2].

Plaintiff, a prisoner, has filed at least three previous cases that were dismissed as frivolous, malicious, or for failure to state a claim.¹ Under 28 U.S.C. § 1915(g), therefore, the Court may not grant the motion unless plaintiff "is under imminent danger of serious physical injury."

After reviewing the complaint, the Court finds no allegations that would show that plaintiff is in imminent danger of serious physical injury. As a result, the Court will deny the motion and will dismiss this action without prejudice to refile as a fully paid complaint.

Accordingly,

IT IS HEREBY ORDERED that plaintiff's motion to proceed in forma pauperis [Doc. #2] is **DENIED**.

¹ See *Allen v. Bob Barker Company, Inc.*, No. 4:97-CV-1682 DDN (E.D. Mo.) (noting that the Court had previously dismissed three or more of plaintiff's cases as frivolous or for failure to state a claim, to wit: *Allen v. Moore*, No. 4:92-CV-2151-SNL (E.D. Mo.); *Allen v. Moore*, No. 4:92-CV-2152-JCH (E.D. Mo.); *Allen v. Mitchell*, No. 4:92-CV-2336-DJS (E.D. Mo.); *Allen v. Tidwell*, No. 4:96-CV-2289-SNL (E.D. Mo.); *Allen v. Bob Barker Company, Inc.*, No. 4:97-CV-976-DDN (E.D. Mo.); *Allen v. Hayes*, No. 4:97-CV-970-GFG (E.D. Mo.)). See also *Allen v. Lynxwiler*, No. 1:07-CV-139 CDP (E.D. Mo.).

IT IS FURTHER ORDERED that this action is **DISMISSED**, without prejudice, pursuant to 28 U.S.C. § 1915(g).

An Order of Dismissal shall accompany this Memorandum and Order.

Dated this 10th day of September, 2008.

A handwritten signature in cursive script, reading "Henry Edward Autrey", with a long horizontal flourish extending to the right.

HENRY EDWARD AUTREY
UNITED STATES DISTRICT JUDGE